

Application No. 08/819,669
Reply to Advisory Action of March 3, 2010

Docket No.: NY-LUD 5253-US5-DIV

REMARKS

Via the amendment presented herein, claims 192-195, indicated as allowed are the only claims remaining.

The Examiner indicates these are allowed claims, but raises an issue with respect to U.S. Patent No. 7,495,074. This is inconsistent.

Note that the '074 patent and the subject application claim the same priorities, and share common disclosure.

Inventorship differs because the '074 patent claims specific sequences not claimed herein. Assignments have been filed and are of record establishing common ownership.

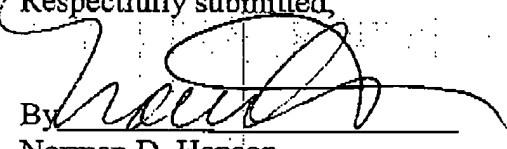
Given the shared priority, the '074 patent does not qualify as prior art. As noted, supra, assignments of record establish common ownership. Rejection is NOT proper.

Should allowance of claims 192-195 not be forthcoming, applicants request an interview with the Supervisory Primary Examiner.

No fee is believed to be due; however, the Commissioner is hereby authorized to deduct any fees from our Deposit Account No. 50-0624, under Order No. NY-LUD 5253-US5-DIV (09885911) from which the undersigned is authorized to draw.

Dated: 4/29/10

Respectfully submitted,

By 
Norman D. Hanson
Registration No. 30,946
FULBRIGHT & JAWORSKI L.L.P.
666 Fifth Avenue
New York, New York 10103
Attorney for Applicant

(212) 318-3000

(212) 318-3400 (Fax)